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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel A. Henderson Examiner: Olisa Anwah  
Application No: 10/728,440 Art Unit: 2614  
Filing Date: 12/05/2003  
Title: Method and Apparatus For Improved Personal Communication  
Devices and Systems  
Attorney Docket: H-112 (HEND-0022 DIV2)

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner of Patents & Trademarks, U. S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450 on April 18, 2007

By: [Signature]  
Robert K. Hendler  
Reg. No.: 24,581  
Attorney for Applicant

Dear Commissioner:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant submits this statement in accordance to the duty of disclosure under 37 C.F.R. §§1.56, 1.97, and 1.98, and requests consideration of this Information Disclosure Statement.

Compliance with 37 C.F.R. §1.97: This Information Disclosure Statement is not filed within three (3) months of the filing date of a National Application or before the mailing date of a first office action on the merits. An additional fee is necessary. Please charge any additional fees or credit overpayment to Deposit Account 20-0449. A duplicate of this Statement is enclosed.

Information Cited: The Applicant hereby makes of record in the above-identified application, the information listed on the attached PTO/SB/08A form. It is noted that this form includes references cited in the SmartCall v Cellco (Verizon) litigation and the Defendant's Prior Art Statement (Appendix A). The order of presentation of the references should not be construed as an indication of the importance of the reference. As all the references listed on attached Form PTO/SB/08A are in English or include a translation to English, no commentary is required.

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### REMARKS

Applicant submits herewith a listing on the front of the first of the PTO/SB/08A forms references newly-discovered as a result of the ongoing litigation, i.e., SmartCall v Cellco Partnership (Verizon). A copy of the Japanese reference cited by Verizon is included, translated by Verizon. Further, as part of the first PTO/SB/08A form, Applicant submits a copy of "Defendant's Prior Art Statement" in this litigation.

Applicant respectfully requests that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed PTO/SB/08A form be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citations for the information be printed on any patent that issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined in 37 C.F.R. §102.

Notwithstanding any statement by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

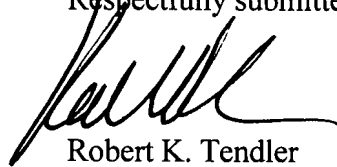
An early and favorable action is hereby requested.

Please enter in the above application and communicate in all related matters with the undersigned. The Office is hereby authorized to charge any deficiency or credit any overpayment in the fees to deposit account #20-0449.

Date

April 18, 2007

Respectfully submitted,



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT****U.S. Patent Documents**

<b><u>Examiner Initials</u></b>	<b><u>Patent No.</u></b>	<b><u>Inventor(s)</u></b>
	5,281,962	Vanden Heuvel et al.

**Foreign Patent Documents**

<b><u>Examiner Initials</u></b>	<b><u>Patent No.</u></b>	<b><u>Inventor(s)</u></b>	<b><u>Notes</u></b>
	PCT/US91/08517 (PCT Application)	Wohl	U.S. counterpart already cited (5,247,700)
	JP H04-2.93324	Azuma	

**Non-patent References**

<b><u>Examiner Initials</u></b>	<b><u>Reference</u></b>
	Defendant's Prior Art Statement, Civil Action No. 05C-7160

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.  
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and selection option 2.